

HOUSE BILL 1889  
By Shepard

AN ACT to amend Tennessee Code Annotated, Title 53,  
Chapter 10, Part 3, relative to legend drugs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-10-308, is amended by deleting such section in its entirety and by substituting instead the following:

(a) Notwithstanding any other provision of this part to the contrary, the committee may release confidential information from the database regarding practitioners, patients, or both to the following persons: a manager of any investigations or prosecution unit of a board, committee, or other governing body that licenses practitioners and is engaged in any investigation, an adjudication, or a prosecution of a violation under any state or federal law that involves a controlled substance.

(b) Before the committee releases confidential information under this section, the applicant must petition the committee for it, particularly describe the information required, and demonstrate to the committee that the applicant has reason to believe that a violation under any state or federal law that involves a controlled substance has occurred and that the requested information is reasonably related to the investigation, adjudication, or prosecution of the violation.

(c) No information may be released under this section until it has been reviewed by the committee, including a member of the committee who is licensed in the same profession as the prescribing or dispensing practitioner identified by the data. The committee by a two-thirds vote of the members to which the committee is entitled must vote that further investigation or prosecution is warranted and that release of the information is necessary to such continued investigation or prosecution. All such votes shall be recorded.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.